

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PENOVIA LLC,	§	
	§	
<i>Plaintiff,</i>	§	CASE NO. 2:14-cv-00161-JRG
<i>vs.</i>	§	CONSOLIDATED ACTION
	§	LEAD CASE
ACER AMERICA CORPORATION,	§	
	§	
<i>Defendant.</i>	§	JURY TRIAL DEMANDED
	§	
<hr/> PENOVIA LLC,	§	
	§	
<i>Plaintiff,</i>	§	CASE NO. 2:14-cv-00173-JRG
<i>vs.</i>	§	
FUJITSU AMERICA, INC.,	§	
	§	
<i>Defendant.</i>	§	JURY TRIAL DEMANDED
	§	

**DEFENDANT FUJITSU AMERICA, INC.
UNOPPOSED MOTION FOR EXTENSION OF TIME TO
ANSWER OR OTHERWISE RESPOND TO PENOVIA LLC'S COMPLAINT**

Defendant Fujitsu America, Inc. (“Fujitsu”) hereby files its Unopposed Motion for Extension of Time to Answer or Otherwise Respond to Penovia LLC’s Complaint and in support thereof shows the Court as follows:

1. On April 4, 2014, Defendant Fujitsu filed its First Unopposed Application for Extension of Time to Respond to Plaintiff, Penovia LLC’s Complaint, see ECF 8.
2. On April 4, 2014, the Court granted Defendant Fujitsu’s First Unopposed Application for Extension to Answer up to and including Thursday, May 8, 2014 to respond to Plaintiff’s Complaint.
3. On May 1, 2014, Defendant Fujitsu filed its Second Unopposed Application for

Extension of Time to Respond to Plaintiff, Penovia LLC's Complaint, see ECF 11.

4. On May 1, 2014, the Court granted Defendant Fujitsu's Second Unopposed Application for Extension to Answer up to and including Friday, May 23, 2014 to respond to Plaintiff's Complaint.

5. The Parties have been and continue to be actively engaged in settlement discussions.

6. Counsel for Defendant Fujitsu seeks this requests an extension of time to answer or otherwise respond to Plaintiff, Penovia LLC's complaint to further facilitate settlement discussions between the parties. Defendant Fujitsu hereby moves the Court, for good cause, for a thirty-day extension including up to Monday, June 30, 2014 to answer or otherwise respond to Plaintiff, Penovia LLC's Complaint.

Dated: May 30, 2014

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

/s/ Rick L. Rambo

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**ATTORNEYS FOR DEFENDANT FUJITSU
AMERICA, INC.**

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7(h), counsel for Defendant Fujitsu America, Inc. are actively engaged in discussions with counsel for Penovia LLC regarding settlement of this action. On May 30, 2014, counsel for Defendant Fujitsu America, Inc. met and conferred with counsel for Penovia LLC regarding the foregoing motion. Counsel for Plaintiff, Penovia LLC, indicated that they were unopposed to the relief sought herein.

/s/ Rick L. Rambo
Rick L. Rambo

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document has been served via the Court's CM/ECF system per Local Rule CV-5(a)(3) and FRCP 5(b) on May 30, 2014.

/s/ Rick L. Rambo
Rick L. Rambo